

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

VASILIY DULGIYER,

Plaintiff(s),

v.

DEPUY SYNTHES, et al.,

Defendants.

CIVIL ACTION
NO. 23-3889

ORDER

AND NOW, this 5th day of March 2024, upon consideration of Vasiliy Dulgiyer's Complaint (ECF No. 1), Jabil Brandywine, Inc. and Jabil, Inc.'s ("Jabil Defendants") Motion to Dismiss (ECF No. 10), Dulgiyer's Response (ECF No. 12), DePuy Synthes, Johnson & Johnson and Synthes USA Products, LLC's ("Synthes Defendants") Motion to Dismiss (ECF No. 13), Dulgiyer's Response (ECF No. 14) and the Synthes Defendants' Reply (ECF No. 15), it is ORDERED that the Motions are GRANTED in part and DENIED in part:

1. Dulgiyer's claims for intentional infliction of emotional distress against all Defendants are **DISMISSED WITH PREJUDICE**.
2. Dulgiyer's federal civil conspiracy claims against all Defendants are **DISMISSED WITH PREJUDICE**.
3. Dulgiyer's Title VII unequal pay claims against the Jabil Defendants pertaining to paychecks received before May 6, 2021 are **DISMISSED WITH PREJUDICE**.

4. Dulgieder's PHRA unequal pay claims against the Jabil Defendants pertaining to paychecks received before September 2, 2021 are **DISMISSED WITH PREJUDICE**.
5. Dulgieder's Title VII and PHRA claims against Johnson & Johnson arising out of his first administrative charge are **DISMISSED WITHOUT PREJUDICE**.
6. Dulgieder's Title VII and PHRA retaliation claims against the Synthes Defendants arising out of his first administrative charge are **DISMISSED WITH PREJUDICE**.
7. Dulgieder may file an amended complaint, consistent with the Court's Memorandum, on or before **Friday, March 29, 2024**.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.